

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2007-143

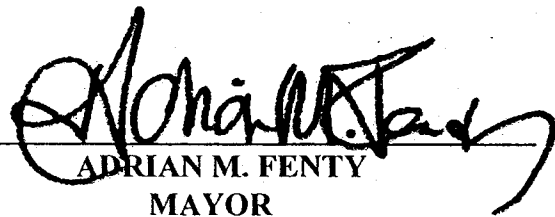
June 20, 2007

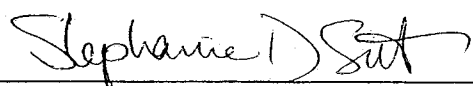
SUBJECT: Delegation of Authority pursuant to D.C. Law 15-205, the Fiscal Year 2005 Budget Support Act of 2004, D.C. Law 16-33, the Fiscal Year 2006 Budget Support Act of 2005, and D.C. Law 16-192, the Fiscal Year 2007 Budget Support Act of 2006.

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6), and by the Governmental Reorganization Procedure Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Official Code § 1-315.01 *et seq.*), which allows authority vested in offices or agencies within the Executive Office of the Mayor, including authority vested in the Office of the City Administrator, to be reassigned to the Mayor without a reorganization plan, and by virtue of section 5802 of the Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), section 5242 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), and section 5002 of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899) ("Acts"), which authorize the Office of the City Administrator to make grants to the District of Columbia Primary Care Association for the Medical Homes Initiative, and with the concurrence of the City Administrator, it is hereby **ORDERED** that:

1. The Director of the Department of Health ("Director") is delegated the authority vested in the Office of the City Administrator pursuant to the Acts.
2. The Director may further delegate this authority to a subordinate within the Department of Health.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL**



Legal Counsel Division

MEMORANDUM

**TO: Kenneth B. Campbell
General Counsel
Department of Health**

**FROM: Wayne C. Witkowski
Deputy Attorney General
Legal Counsel Division**

[Handwritten signature: WCW]

DATE: May 17, 2007

**SUBJECT: Legal Sufficiency Review of Proposed Mayor's Order Delegating the
Office of the City Administrator's Authority to Make Grants for the
Medical Homes Initiative to the Director of the Department of Health
(AM-07-265) (MID 199946)**

This memorandum is in response to your memorandum of April 18, 2007 requesting that this Office review the above-referenced proposed Mayor's Order (Order) for legal sufficiency.

Pursuant to section 422(6) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2006 Repl.) (Home Rule Act), the Governmental Reorganization Procedure Act of 1981, effective October 17, 1981, D.C. Law 4-42, D.C. Official Code § 1-315.01 *et seq.* (2006 Repl.) (Governmental Reorganization Act), and section 5802 of the Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004, D.C. Law 15-205, 51 DCR 8441, section 5242 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005, D.C. Law 16-33, 52 DCR 7503, and section 5002 of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007, D.C. Law 16-192, 53 DCR 6899 ("Acts"), the Order would delegate the Office of the City Administrator's authority to make grants to the District of Columbia Primary Care Association for the Medical Homes Initiative to the Director of the Department of Health (Director).

Although the Acts vest grant making authority for the Medical Homes Initiative in the Office of the City Administrator, the Governmental Reorganization Act permits the Mayor to reassign functions within the Executive Office of the Mayor without the need for a governmental reorganization plan. Under the Governmental Reorganization Act, the Mayor may therefore reassign to himself the grant making authority provided to the

Office of the City Administrator and use his authority under the Home Rule Act to re-delegate this authority to the director of a subordinate agency.

The Order incorporates substantive and technical recommendations we made to your staff by e-mail on May 8, 2007 and May 10, 2007 and is legally sufficient. It has also been reviewed and approved for formatting and technical compliance by Clifton Posey, Administrative Issuances Specialist, Office of Documents and Administrative Issuances.

If you have questions concerning this memorandum, please contact either Laurie A. Ensworth, Senior Assistant Attorney General, Legal Counsel Division, at 724-5537, or me at 724-5524.

WCW/lae

Attachment